

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE J. ALVAREZ,
Petitioner,

No. C 11-373 SI (pr)

ORDER OF DISMISSAL


v.

RAUL LOPEZ, warden,
Respondent.

George J. Alvarez, an inmate at the Corcoran State Prison, filed this *pro se* action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254 with regard to his 2002 conviction in Alameda County Superior Court. Respondent then moved to dismiss the petition because it was untimely and some claims were procedurally defaulted. Thereafter, petitioner moved to withdraw the petition as unexhausted. Upon due consideration, petitioner's motion to withdraw the petition is GRANTED. (Docket # 6.) Respondent's motion to dismiss is DISMISSED as moot. (Docket # 5.) This action is now dismissed. The clerk shall close the file.

IT IS SO ORDERED.

DATED: July 25, 2011



SUSAN ILLSTON
United States District Judge